FOR MYSORE STATE

Agriculture **(1956) Department.**

Ms **SERIES.**

G.O. No. 1021

Dated 18-4-1956

passed
JS
Supdt

21

[Despatch Abstract.]

Public Service – Madras Last Grade Service – Sri Pombra Madivala – Temporary peon in Fisheries Branch of Dept of Industries and Commerce – Regularisation of – Relaxation of rules – Ordered –

DEPARTMENT OF INDUSTRIES & COMMERCE

From

The Additional Director of Industries and Commerce, Guindy, Madras 5.

To

The Secretary to Government, Agriculture Department, Fort St.George, Madras.

Rc.No.8188 C3/55, d/26.12.55.

113394

RECEIVED ASST. SECRETARY TO GOVERNMENT 28 DEC 1955 AGRICULTURE DEPT.

Sub: Madras Last Grade Service - Peon - Ponkra Madivala - regularisation of service.

...

Ponkra Madivala who was a watchman from 26.12.45 was appointed as a peon by the Asst. Director, Mangalore from 14.11.50 under the emergency provisions of the rules. When the peon applied for earned leave for one month the Asst. Director in his order No.2883 B/55, d/15.4.55 discharged him from service with effect from 17.3.55 on the ground that he was not eligible for the leave. The peon has now appealed against this order. Even before the receipt of the appeal, the Asst. Director, Mangalore had been informed that even peons employed under the emergency provisions of the rules are entitled to leave. But the Asst. Director was still doubtful and did not reinstate him in service on the ground that 1) the peon was not entitled to any leave 2) the peon was age barred even at the time of his first appointment and therefore an overaged peon cannot be reappointed now, 3) his work and conduct have not been satisfactory.

W.C.

2) Government have declared in memo No. 111323 C&R, d/15.11.54 that Last Grade Government Servants employed under emergency provisions are also eligible to earn leave. The Asst. Director should have granted the leave admissible to the peon. If his work and conduct were found to be unsatisfactory he ought to have issued a show cause notice, obtained the explanation of the peon and dealt with him. The discharge of the peon on the ground that he was not eligible for any kind of leave was irregular. The Asst. Director could have also discharged him or reverted him as a watcher on the ground that the peon was unqualified, but this would also be improper in the sense that the cases of such peons with long years of service are usually recommended to Government for relaxation of rules. Now the question is whether the peon should be granted the leave to which he was eligible and then reinstated in service. In that case the period from 17.3.55 to the date of his reinstatement would have to be treated as leave and this would involve relaxation of the Madras leave rules also. I request orders of Government in the matter.

2/

D Samuel 27/12/55

for Additional Director of Industries and Commerce.

mr.27.12.

22/12

Agm(E)

3

Memo no 113396 E/1/st-1 dt-4.12.66

Sub:- Estt. - Seniorities - Ponkara Madivalla.

(***) Prom. Regularisation of

Ref:- from the Addl. Dy Ro Lr no 8188 CB/st

dt 26.12.66.

The Addl. Dy Ro is

requested to state whether Sri

Ponkara Madivala possesses

all other qualifications prescribed

under Rule 8 of the Spl. Rules

for Madras Bank Grade Service.

for Secretary to

Addl. Dy Ro

Initials.

5

DEPARTMENT OF INDUSTRIES AND COMMERCE.

FROM

[illegible]appan M.A.I.A.S.,
Director of Industries and
Commerce,
[illegible]auk, Madras-5.

TO

The Secretary to Government,
Agriculture Department,
Fort Saint George,
Madras.

THIRD ASSISTANT SECRETARY TO GOVT.
18 FEB 1956
14967
AGRICULTURE DEPARTMENT

R.C.8188/C3/55 dated 13/2/56.

Sir,

Sub: Establishment - Fisheries - Ponkra Madivala (Sri) peon

Ref: Government Memo 113394/E1/55 dated 4/1/56.

****

Sri Ponkra Madivala did not possess all the qualifications prescribed in rule 8 of the special rules for the Madras Last Grade Service, that is,:—

I. He was not recruited through the employment exchange, but

II. He could ride a Bicycle.

III. He could read and write Kannada

His date of birth is 5/12/21. At the time of his appointment as peon on 14/11/50 under the emergency provisions of the rules, he was nearly 29 years of age. He was therefore averaged. He is also not an ex army man.

I submit in this connection a petition from him to Government dated 12/12/55 with a covering letter also from him dated 9/1/56. The points mentioned by him have been already dealt with in this office letter No.8188/C3/55 dated 26/12/55 to Government.

for Director of Industries and Commerce. 17/2/56.

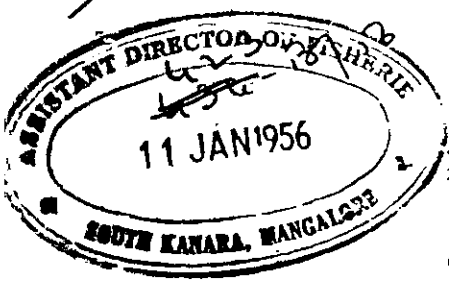
The Secretary to the Government of Madras
Agriculture Department,
Fort St. George Madras.

Through:

The Inspectore of Fisheries, Karkal

The Asst. Director of Fisheries,
South Kanara, Mangalore
and
The Director of Industries and Commerce,

Madras.



Ponkra Madivala Discharged peon - Office of the Inspector of Fisheries, Karkal - S. Kanara Dt. Appeal to Government - Resubmitted through proper channel.

Reference: Endorsement No. 114067 E. T/55-1 D/4-1-56 of the Govt of Madras, Agriculture Department.

My appeal petition dated 12-12-1955 returned with the above endorsement for resubmission through proper channel is resubmitted herewith with all enclosures and the endorsement of the Govt. cited above (in original) through proper channel for favour of kind and sympathetic consideration and favourable early orders.

Yours faithfully.

/Signature of Ponkra Madivala in Kannada/

Appellant. 9-1-56

(From Ponkra Madivala - Ex- peon of the Office of the Inspector of Fisheries, Karkal, Near the Dt. Board Travellers Bungalow, Durga Road, Karkala (South Kanara Dt.)
Copy submitted to the Secretary to the Government of Madras - Agriculture Department, Fort St. George, Madras, direct -- without enclosures)

Regd Post

Encl to Mrs 15/56 dated 8.1.56
Submitted to the Assistant Director of Fisheries
Mangalore

for the Inspector of Fisheries
Karkal

5 41-A

9

R.C./57

To

The Secretary to Government of Madras,
Department of Agriculture,
Fort St. George,
Madras.

114067

Humble appeal submitted by:

Ponkra Madi wala, (Discharged peon - office of the Inspector of Fisheries, Karkala, South Kanara Dt) residing near the District Board Travellers' Bungalow, Durga Road, Karkala, Post: Karkala, -- South Kanara District.

Dated 12-12-1955.

Respected Sir,

Being highly aggrieved by the order in Memo No. 2883-B-55 dated 15-4-1955 of the Assistant Director of -- Fisheries, South Kanara, Mangalore discharging me from -- service I beg to submit the following for the Government's kind and sympethetic consideration and favourable orders.

2. I was working as a watcher under the Fisheries Inspector, Karkala, continously from 26-12-1945 to 13-11-50 and was promoted to act as peon in the same office from -- 14-11-1950. I worked as peon continously from 14-11-1850. I fell sick in the beginning of March 1955 and applied for casual leave from 3-3-1955 to 6-3-1955. The casual leave was refused by the then Inspector of Fisheries, Karkala, and I was therefore compelled to work though I was suffering from fever and cough and though I was taking medicine from the Government Hospital, Karkala. As my sickness --- increased, I was admitted as an in-patient in the local --

Government Hospital, Karkala, on 18-3-1955. I was treated as an in-patient from 18-3-1955 to 25-3-1955 and thereafter, I continued as an out-patient of the same hospital. In the meanwhile, the then Inspector of Fisheries, Karkala, who was not well disposed towards me seems to have obtained the -- orders of the Assistant Director of Fisheries, South Kanara, transfering me as peon, Fish curing yard, Tarapathi. The -- said transfer order was delivered to me by the Inspector of Fisheries, Karkala on 18-3-1955 who subsequently informed me that it will be reported that I had been relieved on 17-3-1955 A.N. itself. Immediately I submitted a petition to the -- Assistant Director of Fisheries , South Kanara, on 18-3-1955 itself representing that I was laid up with fever and cough in the Government Hospital, Karkala and requesting that I -- may be granted casual leave for seven days and permitted to avail myself of the usual joining time and praying also for an advance of travelling allowance for the journey to Tarapathi. In reply to this, I was informed by the Assistant Director of Fisheries, South Kanara, in his memo, Ref.C.No.2883-B-55 dated 23-3-1955, that as I was working under the emergency provisions, I was not eligible for any kind of leave and that a medical -- certificate was necessary for granting of joining time. I had not yet recovered and was continuing as an out-patient of the Government Hospital, Karkala. Besides, my three children were suffering from chicken-pox. Hence it was not possible for me to join the new station in time. I brought these facts to the notice of the Assistant Director of Fisheries, South Kanara, as per my petition dated 3-4-1955 and prayed that I may be -- granted one month's leave at least on loss of pay and also -- requested that the medical Officer, Government Hospital, Karkal may be kindly addressed about my sickness. In reply to this petition I was informed by the Assistant Director of Fisheries, South Kanara, in his memo, No.2883-B-55 dated 15-4-1955, --

that I was not eligible for any leave as I was working -- under the emergency provisions, that I would be considered as discharged from service on 17-3-1955 A.N. and that I may apply for re-appointmon-t when I am completely recovered from my illness. In reply to this order, I submitted a petition dated 21-4-1955 to the Assistant Director, South Kanara informin-g him that I had completely recovered from my sickness and explaining the circumstances in which it was not possible for me to join duty at Tarapathi, and --- requesting that my discharge order may be kindly cancelled and I may be permitted to join duty. As I did not receive any orders on the said petition for nearly a month I -- su-bmitted an appeal in the matter to the Director of -- Industries and commerce, Madras on 23-5-1955. My appeal with its enclosures was received at the office of the -- Director of Industries and commerce on 27-5-1955 as is -- seen from the R.P.Acknowledgment slip received by me. As I did not receive an-y orders in the matter I submitted a reminder petition to the Director on 13-9-1955 by registered pos-t. The Director of Industries and commerce has not yet favoured m-e with an-y orders in the matter though -- the appeal was submitted nearly six months ago. I am -- therefore, compelled to approach the benaign Government -- with this appeal (A copy of my appeal dated 23-5-1955 to the Director of Industries and commerce is enclosed).

3. The order of the As-sis-tant Director of Fisheries in his memo No.2883-B-55 dated 15-4-1955, is against rules A c-opy of the or-der received by me was submitted in original with my above appeal to the Director of --- Industries and commerce. A fresh copy of the order is enclosed.

4. The ord-er states that I was not eligible for

any leave as I was working as peon under the emergency -- provisions. I was continuously working as peon from 14-11-1950 to 17-3-1955 (date of my discharge) for a perio-d of 4 years 4 months and odd. When I applied for leave from 18-3-1955 on account of my sickness, I was under ord-ers of transfer as peon to Tarapathi Fish curing Yard. I would have, therefore, continued in service if I had not gone on leave. Hence I was eligible for leave to which non-perman-ent government servan-ts in inferior service are eligible under the Madras Leave Rules 1933. Under Rule 20(ii) and 23(b) of th-e above rules as amended in the II list of corrections, dated 31-10-1952, (C.S.No. 50) I was eligible for earned leave for thirty days and also for extra-ordinary leave. Hence the Assis-tant Director's order that I was not eligible for any leave is not consistent with rules cited.

5. I have put in a continous service as peon from 14-11-1950 in the Fisheries Department. Up to that date, I was working as a watcher in the same department. Steps -- could have been taken to regularise my services as peon long ago. According to the memo of the Director of Industries and commerce, Madras, No. 52- 52997/54-1 dated 1-10-1954, I was held to be overaged and the Assistant Director, South Kanara, communicating the above memo in his endorsement No. 8669-B/54 dated 14-10-1954, remarked that separate orders will be --- issued reverting me from the peon's post. In this connection I submitted a petition dated 20-10-1954 to the Director of Industries and Commerce, Madras, through the Assistant Director of Fisheries, South Kanara District stating that my age was only 24 years when I was first appointed as watcher in the Fisheries Department on 26-12-1945, that I belonged to the backward Community of "Madivala" and praying that I may be exempted from the age bar in the circumstances represented.

I have not yet received any orders on this petition also. A copy of the said petition also is enclosed. The -- Assistant Director's order holding that I was working under the emergency provisions and summarily discharging me from service without giving me an opportunity to explain myself and without taking any steps to regularise my continuous -- service as peon for more than four years is highly --- inequitable and and has caused great hardship on me.

6. Though the Assistant Director of Fisheries, South Kanara, in his memo, No.2883-B-55 dated 15-4-1955, (now appealed against), allowed me the liberty of applying for reappointment when I had completely recovered from my illness, he did not pass any orders on my petition dated 21-4-1955 in which I informed him that I had completely recovered and applied for permission to join duty. I had put in a continuous service of about six years as Watcher in the Fisheries Department when I was promoted as peon in the same Department. I served as peon for a further continuous period of about four years and odd. The -- Assistant Director could have at least given me the -- Watcher's post instead of throwing me on the road after I had put in a faithful and continuous service of nearly ten years in the Department as watcher and peon so far. This shows that the Assistant Director was entirely -- prejudiced against me on account of the one sided reports of the then Inspector of Fisheries, Kankala without -- giving me any opportunity of explaining myself.

7. In conclusion, I submit that I have been out of employment since the last eight or nine months for no -- fault of mine on account of the arbitrary order of the -- Assistant Director of Fisheries, South Kanara; that -- leave admissible under the Madras Leave Rules has been --

denied to me; that the appeal and several representations submitted by me to my departmental superiors have been --- entirely ignored and that, as a result, my family of six souls, consisting of my wife and children, have been -- rendered homeless. In this sad and pitiable condition I am approaching the benign Government for redress. I. therefore, humbly pray that:

(1) Orders may be kindly issued urgently permitting me to rejoin duty in my previous post as peon under the Inspector of Fisheries, Karkala, and

(2) the period from 18-3-1955 till the date of my --- rejoining duty may be kindly ordered to be treated as such leave to which I am eligi-ble under the -- Madras Leave Rules.

8. As I am now out of service, I am submitting this appeal direct.

Yours faithfully,

Sd/- [illegible]

Appellant 27-12-55

Camp: Karkala
Dated 27-12-1955

Enclosures:-

1. Copy of my appeal petition dated 25-5-1955 to the Director of Industries and Commerce, Madras.
2. Copy of memo No.2883-B-55 dated 15-4-1955 of the Assistant Director of Fisheries, South Kanara. The original memo received by me was enclosed to my appeal (Vide enclosure No. 1 above).
3. Copy of my petition dated 20-10-1954 to the Director of Industries and Commerce, Madras. (Please see para 5 of this appeal)

11

15

Before the Director of Industries and Commerce,
Madras.

Humble appeal submitted by:

Ponkra Madivala (Discharged peon, office of the Fisheries Inspector, Karkala, S.K.) residing near the Travellers' Bungalow, Karkala, Post: Karkala, South Kanara Dt.

Dated 25-5-1955.

Respected sir

Being highly aggrieved by the order in Memo No. 2883-B-55 dated 18-4-1955 of the Assistant Director of -- Fisheries, South Kanara, Mangalore, discharging me from service I beg to submit the following for your kind and sympathetic consideration and favourable orders.

I am a member of Madivala Community which is one of the scheduled classes. I am a poor man without any means of livelihood. I have a large family of six souls (wife and children)to maintain.

I was first appointed as a watcher in the local Fisheries department on 26-12-1945 and thereafter I continued as such till 13-11-1950 on which date I was promoted to act as peon in the same office and from 14-11-1950 I continued to work as peon without any break till my discharge now under appeal.

The order of the Assistant Director referred to above is purely dictatorial, highly illegal and is against rules. It is also most inequitable in rendering me homeless for no fault of mine in spite of my faithful service in the

department for about 10 years as watcher and peon. The Assistant Director ought to have come to a point deciding the nature of charge committed by me and ought to have called for my explanation as to why I should not be discharged from service.

The local fishfarm was started several years back and its income was on the increase year by year. But during the -- tenure of the present Assistant Director and the present --- Inspector of Fisheries at Kankala there has been a great fall in the income of this fishfarm. If a comparative statement is -- called for and perused this fact may be easily verified.

The present Inspector of Fisheries since his arrival to this station has been misappropriating a good portion of the -- income of this fish farm by fabricating the accounts. He used to collect the sale proceeds of fish without passing official ---- receipts to the vendees. At the end of the day he used to -- account only a portion of the collections after filling up some counterfoils of the receipt book to tally with his accounts -- throwing away the blank original receipt forms.

Two fishermen of this office who were discharged from service while preferring appeals traversed the above facts in their appeals enclosing some of the blank receipts in support of their averments. When the said appeals were received at the -- Inspector's office, the Inspector wanted me and the other --- employees of the office to give a statement that we used to -- sell departmental fish out-side the office without handing over the official receipts to the concerned individuals. As a matter of fact no fish used to be sold by the road-side outside the -- office either by me or anyother servant of the office and hence we refused to give a statement as required by the Inspector.

Being highly incensed at this the Inspector recommended

to the Assistant Director for my immediate transfer. The Assistant Director who has been for some reason or other has been assisting the Inspector in all his activities, passed transfer orders transferring me from Karkala Sis-Lanka to Tarapatni fish curing yard, lying at a distance of 80 miles. Advance of pay and T.A. were refused to me, and the transfer was ordered during the middle of March, when my son who has been attending school has some more time to complete his -- second school term.

The transfer order was received at Karkala office on 17-3-1955. The Inspector before informing me of the same relieved me from duty on the afternoon of 17-3-1955 and -- communicated the copy of the transfer order to me on -- 18-3-1955 when I was laid up with fever in the local hospital.

From 14-3-1955 I was suffering from fever and was having treatment in the local Government hospital. Due to increase in my sickness I was admitted as an in-patient in the local Government hospital on 18-3-1955 and was treated there for 8 days. I was discharged from there on 25-4-1955 and thereafter I continued as an out-patient till 6-4-1955. The slips granted by the Medical Officer are enclosed herewith.

Under the above stated circumstances at was beyond my possibility to join duty at Tarapatni Fish Curing yard within the expiry of the joining time i.e., 23-3-1955 during which period I was bed-ridden as an in-patient in the Government Hospital.

On 18-3-1955 itself I submitted an application to the Assistant Director informing him about my sickness and praying for some leave of any kind as I was unable to join

duty at my new station immediately. On my recovering from my sickness I also submitted an application to the Assistant Director stating the circumstances under which I was unable to join duty at Tirupathi and praying for granting me one month's leave - (such leave as is admissible to me under the rules including the leave on loss of pay) - from 18-3-1955 and to treat my absence from duty from 18-3-1955 onwards as such leave.

As my ill-luck would have it instead of granting me leave as applied for by me - at least on loss of pay - the Assistant Director has discharged me from service with effect from the forenoon of 17-3-1955, the date on which I was -- relieved from duty at Karkala and by the said order I have been greatly prejudiced. My salary from 1-3-1955 to 17-3-1955 the period for which I was on duty has also not been paid to me so far

In this connection I also submit that my appointment as peon was not regularised though I joined duty as watcher when my age was only 24 years. Hence on 20-10-1954 I had to submit an application to the Director of Commerce and Industries, Madras for relaxation of the age rule and final orders on the said --- petition are still pending. If the said petition is disposed of in my favour I will be entitled for leave in view of my past -- service as peon.

The Assistant Director has also erred in depriving me of the watcher's post held by me from 26-12-1945 to 13-11-1950 and from which post I was promoted to the peon's post. My appointment as peon was made without prejudice to my post as watcher as would be evident in Memo. L.Dis No.52-629 57/54-1 dated 1-10-1954 of Director of Industries and Commerce, Madras. The Assistant Director ought to have at least under the above stated circumstances, reverted me as a watcher in view of my past ---

At present as I am out of service. I am submitting this appeal direct under the rules lest it should be withheld by the lower authorities if I submit the same through department But I am submitting a copy through proper channel.

I therefore humbly pray that your Gracious self may be pleased to set aside my discharge or-der passed by the Assistant Director and I may be permitted to join as peon -- treating my absence from duty as leave on loss of pay.

Yours faithfully,

Sd/ (in Canarese) Ponkru Madivala.

Appellant.

Enclosures:-

1. Slip granted to me at the local Government Hospital.
2. do
3. do
4. Memo. 2883 B/55 of Asst. Director, Mangalore.

Copy submitted (without enclosures) through the Assistant Director of Fisheries, S.K. Mangalore.

Copy of memorandum No.B.2883-B-55 dated 15-4-55 of the Assistant Director of Fisheries, South Kanara, Mangalore.

x x x

Ponkra Madivala, peon under orders of transfer to Tarapatni fish curing yard is informed that he was working as peon in the Department only under emergency provisions of the rules and as such he is not eligible for the leave applied for. He is therefore considered to have been discharged from service with effect from 17-3-1955 A.N.

He may however apply for reappointment when he is completely recovered from his illness.

Sd/ xxxxx
Assistant Director of Fisheries
South Kanara Mangalore.

17

21

To

The Director of Industries and Commerce,
Madras

Through

The Assistant Director of Fisheries,
South Kanara District,
Mangalore.

and

The Inspector of Fisheries,
Karkala South Kanara,

Humble memorandum of :-

Ponkra Madivala, Peon,
Office of the Inspector of Fisheries,
Karkala , S.K.

Dated 20th October 1954.

Subject :- Establishment - Madras last grade service - Peon Ponkra Madivala - Regularisation of Service - Regarding.

Reference :Memorandum L.Dis.82-52997/54-1 dated 1-10-54 of the Director of Industries and Commerce, Madras, communicated with endorsement No.3669-B-54 dated 14-10-54 of the Assistant Director of Fisheries South Kanara, Mangalore and Endorsement No.287/54 dated 18-10-54 of the Inspector of Fisheries, -- Karkala.

****

Sir,

With reference to the above order directing my reversion as Watchman, I humbly beg to represent as follows:

2. The date of my birth according to my school leavin certificate is 5-12-1921. I first joined duty as Watchman on 26-12-1945 when my age was only 24 years. I worked as Watchman continously from 26-12-1945 to 13-11-1950 and was promoted to act as peon from 14-11-1950, and continuing in the said post up to date. I am much aggrieved by the -- above order directing my reversion after I had acted as -- peon for nearly four years.

3. I am a Madivala (Washerman) by caste which is -- included in the Scheduled Classes. It is not represented in any category of Government service. I am very poor man

without any other means of livelihood. I have a family (wife and children) of six souls dependent on me and I actually depend on my post for my livelihood and that of my poor family. As it is the intention of the government to help and ameliorate the conditions of the scheduled classes, it is not fair to oust me from the humble post of a peon in which I have been acting since the last four years to the entire satisfaction of my superior officers, on the technical ground that I was slightly over-aged, especially when there are several instances in which the Government have exempted the age rule even in the case of non-Scheduled classes hands in deserving cases and when even in anticipations calling for applications for direct recruitment the government allow a higher age limit for scheduled class candidates, than for non-scheduled class candidates.

4. The Government have recently granted some concessions to the last grade service. They have directed the opening of service registers even for individuals paid from contingencies such as Masalchis and Watchmen, etc., who are whole-time servants so that their service in such posts may be counted for determining their seniority for promotions etc. Though such service may not count for pension, such service may be taken into consideration for the purpose of determining the age limit. As stated above, I was first appointed in Government service on 26-12-1945 when I was only 24 years of age and my subsequent appointment as peon on 14-11-1950 is only a promotion and not a first appointment. On consideration of those facts and in view of my previous satisfactory service as Watchman for nearly five years and also in view of the fact that I belong to a poor scheduled Class community, the Assistant Director of Fisheries has promoted me to act as peon probably with the idea of applying for the relaxation of the age rule if an when necessary. I have served as peon for about four years hoping that I may be confirmed in the usual

23

course. The present order to oust me from the post, for no fault of mine, has come as a serious shock to me.

5. In the circumstances represented above, I humbly pray that the Director may be graciously pleased to consider my case as a special case of hardship and apply for --- relaxation of the age rule and kindly order the regularisation of my service as peon from from 14-11-1950.

I also pray that the order reverting me as Watchman may be kindly stayed pending final disposal of this petition.

I beg to remain,
Sir,
Your most obedient servant

Sd in Gamarose/ Ponkra Madivala
20-10-54.

24

Government of Madras

Agriculture Department

Endorsement No 114067 ET/55-1 dt-1-56

Returned to the petitioner for resubmission through proper channel.

for Secretary
4-1-56
Assistant Secretary to Govt

- 30/12

2/1/56

To
Sri Ponkara Madiwala
Ex-Peon of the office of the Inspector of Fisheries, Karaikal,
Near DI Board Travellers Bungalow,
Durgaroad, Karkala
S Kanara DI-

Resubmitted to the Secretary to the Government of Madras Agriculture Department, Fort St. George, Madras through the proper channel

Through the Inspector of Fisheries, Karkal.

9-1-1956

ಪೊನ್ಕರ ಮಡಿವಾಳ

Appellant. 9-1-56

Form (G.I.)

21

Subject: Public Service Madras Last Grade Service - Sri Ponkara Madivala - Temporary Peon in Fisheries Branch of the Dept of Industries and Commerce - Regularisation of - Relaxation of Rules - Ordered.

Ref: 1. From the Addl. Dpty Director RC No. 81858 C3/55 dt. 26.12.55
2. From the Addl. Dpty Director RC No. 81858 C3/56 dt. 18.2.56.
Govt. Memo No. 1021 Agriculture dt. 18.4.56.

Sri Ponkara Madivala was first appointed in the Fisheries Dept on 26.12.45 as watchman. On 14.11.50 he was appointed temporarily as peon in the office of the A.D.F, Mangalore. He was discharged from service by the A.D.F Mangalore with effect from 17.3.55, when he applied for one months leave. He has now requested that he may be reinstated in service and his services regularised. He is overaged for regular appointment as peon, his date of birth being 5.12.1921. Further he was not recruited through the Employment Exchange as required under rule 6(c) of the M.C.S. Rules. However in view of the long temporary service put in by him the Govt. consider that he should be appointed regularly employed as peon by relaxing the age rule and

Rb

rule 6(c) of the M.C.S. Service Rules (P 216-218 of MSM VIII)

2/ In exercise of the powers conferred by rule 25 of the Special Rules for the Madras Last Grade Service, contained in Volume III of the Madras Services Manual, 1956, the Governor of Madras hereby directs that the rules 6(c) and 8 of the Special Rules for the Madras Last Grade Service be relaxed in favour of Ponkra Madivala in order to enable him to be regularly appointed as Peon in the Fisheries Branch of the Department of Industries and Commerce. (P 216-218 of MSM VIII; P 219 - of MSM VIII)

sd/

25/8/56

31.3.56

25.3.56

17/4

To

The Addl Dy Sec

The Addl Secy, Fin Dept

Copy to the Dy. P.S.C, Madras-2

Sp. 2 : Ef

CENTRAL DESPATCH BRANCH

Reader's initials.

Agree (E)

Sub:- Estt. Fisheries. Ponkra Madivala - Temporary Peon - Regularisation of service. Proposals

Ref:- 1. Govt Lr No. 8188 C3/55 dt. 26.12.55
2. Govt Cir No. 113394 E1/56-1 dt. 4.1.56 to ADFs
3. Govt Lr No. 8188 C3/55 dt. 13.2.56

Cir no 113394 E1/56
p 1 y
p 3 y.
p 5 y

Dc A.S:

para 1 on p 1 y

The file deals with the question of regularisation of the services of one Ponkra Madivala, who was working as temporary peon in the office of the A.D.F, Mangalore.

2/ Sri Ponkra Madivala was first appointed in the Fisheries Dept on 26.12.45 as Watchman. On 14-11-50, he was appointed temporarily as Peon in the office of the ADF, Mangalore. He was discharged from service by the ADF with effect from 17.3.55, when he applied for earned leave for one month. In his petition at pp 9-14 of, he has requested that he may be reinstated in service and the break in his service from the date of discharge to the date of reinstatement may be treated as on leave to which he is eligible. Attention is now invited to the letter from the Addl. D Dte at p 1 y wherein he has stated that, though the peon was employed under emergency provisions he was eligible for earned leave. In the circumstances he has requested orders as to whether the peon will be granted leave to which he was

pp 9-14 y

2 on p 14 y

para 2 on p 1 y

2 on p 1 y

eligible and reinstated in Service.

3 It is submitted that even at the time of this first appointment as Peon on 14.11.50 Sri. Punkra Madivala was over aged, his date of birth being 5-12-1921 further he was also not recruited was through the Employment Exchange as required under Rule 6(c) of the M.L.G.S. Rules. Hence he was not eligible for appointment as Peon. Now the circumstances the question of his reinstatement does not arise. However in view of the long temporary Service put in by him in the Dept and the fact that he is a very low Paid employee, it seems that he may be regularly Appointed now by relaxing the age rule (rule 8 of the M.L.G.S. Rules) and Rule 6(c) of the M.L.G.S. Rules referred to above. for orders.

4. Rule (Ser) and Finance Dept may see for remarks.

24/2/56. 24.2.56.

'J' may be supported in this Dept.

Rule (Ser)

4.3.56

D.S.

Appointment

Ajs No 113394 EI 18-3
12/3/56.

Ajs

M employ

(not found up)

J

219 of MSM Vol III

218 of MSM Vol III

(Dis on tour)

J

ADDITIONAL ASST. SECRETARY TO GOVERNMENT
16 MAR 1956
1112
PUBLIC DEPARTMENT

Public (Services) Dept.

The note of Agri. on pp. 1-2 ante may be perused. The proposal at I on p. 2 ante may be agreed to in this Dept. A copy of the relaxation order should be communicated to the M.P.S.C.

May be passed on to Finance.

16.3.56.

17.3.56

17/3
C.S. / Fin.

Pub. (Ser. D) W.O. 1112/567
17.3.56

ADDITIONAL DEPUTY SECRETARY TO GOVERNMENT
28345
FIN

Finance (Res) Dept.

The proposal at J may please may be agreed to in this Dept. also.

Pub
21/3/56.

21/3

Fin. Cm. 28345/ on 20 As
21.3.56

Agri (Ei)

Notes of the Pub (Ser) and Fin Depts. above may be perused.

A draft order is submitted for approval. Pub (Ser) may see before void

25/3/56
25.3.56.

23/3/56

FIRST ASSISTANT SECRETARY TO GOVERNMENT
23 MAR 1956
2578
AGRICULT

Agri (Ei) W.O. 11 3394 Ei/55-4
4/4/56.

5/4/56 DS.

ASSISTANT SECRETARY TO GOVERNMENT
5 APL 1956
1502
CHIEF SECRETARIAT

4

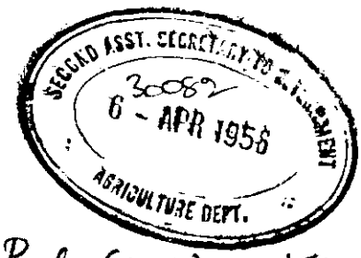
(1133942/57)

Public (Ser) Dept

[Last seen on p. 3 ante]

The subsequent notes on p. 3 ante and the draft order below may be perused and the file returned to Agri.

Dt 5/4/56.



Pub. (Ser. D) w.o. 1502/56-1
5-4-56

5.4.56 Agri

Agri. (E I)

Notes of the Public (Ser) Dept above may be perused. /

The draft order below may now issue-

8/4/56 Dt 8.4.56

14.4.56

(Draft

Issued as G.O. Ms. 1021 Agri dt 18 4 56